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AJMER STATE GOVERNMENT

Law and Judicial Department

Ajmer, the 14th March, 1953

No. 17/3/53-L&J.—The following Bill is published under Rule 90 of the Rules of Procedure relating to the Ajmer Legislative Assembly for general information:—

BILL No. 1 OF 1953

A Bill prohibit smoking in cinema houses in the State of Ajmer.

BE it enacted by the Legislative Assembly of the State of Ajmer as follows:—

1. Short title, extent and commencement.—(1) This Act may be called the Ajmer Prohibition of Smoking (Cinema Houses) Act, 1953.

(2) It extends to the whole of the State of Ajmer.

(3) Sections 1 and 2 shall come into force at once; and the remaining provisions of the Act shall come into force on such date or dates as the State Government may by notification appoint; and different dates may be appointed for different areas or places in the State of Ajmer.

2. Interpretation.—(1) In this Act unless there is anything repugnant in the subject or context—

(a) "cinema house" means any building or any roofed and enclosed structure, including a tent, used ordinarily or occasionally for the demonstration or exhibition to the public, whether on payment or otherwise, of any cinematographic film, or dramatical or musical performance, or of any other form of entertainment;

(b) "notification" means a notification in the official Gazette;

(c) "State Government" means the Chief Commissioner of the State of Ajmer.

(2) The General Clauses Act, 1897 (X of 1897) applies for the interpretation of this Act as it applies for the interpretation of a Central Act.

3. Prohibition of smoking in cinema houses.—No person shall, during a demonstration or exhibition of a cinematograph film, or dramatical or musical performance or of any other form of entertainment, smoke in any part of a cinema house reserved for the audience or the spectator.

4. Penalty for smoking in cinema houses.—(1) Any Police Officer not below the rank of Sub-Inspector or any other person specially authorised in this behalf by the State Government by notification may direct any person found smoking during any such demonstration or exhibition as is referred to in section 3 to desist from smoking and, if such person does not desist, he shall be liable to be ejected summarily from the cinema house by the officer aforesaid or by the person authorised and shall also be punishable with fine which may extend to fifty rupees.

(2) Any Police Officer not below the rank of Sub-Inspector or the person authorised may require a person who does not desist from smoking as directed under sub section (1) to declare to him immediately his name and address and, if that person refuses or fails so to declare his name and address, or if the police officer or the person authorised reasonably suspects him of giving a false name or address, the Police Officer or the person authorised may arrest him without a warrant.

(3) A person ejected under sub section (1) shall not be entitled to the refund of any payment made by him for admission to the demonstration or exhibition or to any other compensation.

5. Power to exclude from the operation of the Act.—The State Government may, by general or special order in writing, direct that the provisions of this Act shall not apply in respect of any cinema house, or any demonstration or exhibition therein.

6. Rules.—The State Government may by notification make rules for the purpose of carrying into effect the provisions of this Act.

STATEMENT OF OBJECTS AND REASONS

Smoking in cinema halls not only causes physical discomfort but also injury to health. The Government, therefore, consider that in the interest of public health such smoking should be prohibited as in the Uttar Pradesh. The Bill gives effect to this proposal.

B. K. KAULA,
Minister-in-charge.

N. SWAMINATHAN,
Secretary to Government of Ajmer,
Law and Judicial Department.